



## TECHNICAL ADVISORY COMMITTEE (TAC)

### Meeting Minutes

San Francisco Bay Conservation and Development Commission (BCDC)

50 California Street, 26<sup>th</sup> Floor, San Francisco, CA 94111

9:30 a.m. – 4:30 p.m.

#### Attendance:

Members		Agency Representatives	OSPR Participants		Guests
Stephen Ricks	Sejal Choksi	Ellen Faurot-Daniels	Lisa Curtis	Stephen Sawyer	Clara Simmons
Jonna Mazet	Tracy Egoscue	Linda Scourtis	Bud Leland	Joy Lavin-Jones	Spencer Ung
Matt Rezvani	Rosemary Corbin (Alt)	Kevin Mercer	Linda Green	Michele Owens	Jordon Stout
Mitchel Beauchamp	Angela Haren (Alt)		Lisa Vandenput		Han Kim (Alt)

The July 25, 2006 Oil Spill Technical Advisory Committee (TAC) meeting at the San Francisco Bay Conservation and Development Commission (BCDC) 50 California Street, 26<sup>th</sup> Floor, San Francisco, CA was called to order at 9:36 a.m. – Stephen Ricks, Chairperson, presiding.

### I. INTRODUCTIONS

LISA CURTIS, OSPR

- ❖ Self Introductions: TAC members, Agency representatives, OSPR participants, and guests.
- ❖ Meeting turned over to Lisa Curtis
- ❖ Lisa Curtis announced her confirmation to the appointment for the Administrator for OSPR.

### II. APPROVAL OF THE MINUTES

STEPHEN RICKS (CHAIRPERSON)/TAC

- ❖ April 18, 2006 minutes:
  - Page 1 under **Agency Reports**, 1<sup>st</sup> paragraph, 2<sup>nd</sup> sentence, “~~Area~~ Safety Plans” should be Harbor Safety Plans.
  - Page 3 under **Inland Spill Program**, 1<sup>st</sup> paragraph, 1<sup>st</sup> sentence, Chief Deputy Director John ~~McComon~~ (name spelled incorrectly): correct spelling John McCamman
  - Tracy Egoscue motioned to approve the minutes with edits. Jonna Mazet seconded.
  - Unanimously approved.

### III. AGENCY REPORTS

CCC/BCDC/SLC

#### ❖ California Coastal Commission:

Ellen Faurot-Daniels

- Some highlights discussed for this reporting period are as follows:
  - ◆ The Escort Tug Advisory Team (ETAT) workgroup drafted a proposal for the OSPR administrator that recommended that tug escort certification be based on the submission of the tug’s original factory certifications and OSPR approved biennial inspection/maintenance program in lieu of bollard pull testing. The ETAT workgroup’s final proposal and recommendation are being presented to each of the HSCs for their final vote of approval. The HSCs will vote on the final proposal and recommendation at their next meetings in January. Next step will be for OSPR to draft revised regulation language, which will be circulated back to HSCs for the review and approval again.
  - ◆ BHP Billiton – the applicant for the proposed offshore LNG terminal recently became a voting member representing the LNG Industry, on the Port Hueneme HSC. The Port Hueneme HSC has also extended its jurisdiction to include the proposed floating LNG terminal if it is approved in the future. This project is expected to be scheduled for Coastal Commission hearing and action in November 2006.
  - ◆ Nobert Dall co-research and co-author, “The Coasts of California”, will be making a public citizen visit. He is writing a book and he is a coastal consultant. He will be shadowing folks at OSPR and possibly some of the TAC members. His areas of interest are Contingency plans for facilities, and OSPR’s primary function.
  - ◆ Ellen Faurot-Daniels reported that Port Hueneme HSC meeting focused on navigation and safety vessel traffic and has concerns about vessel traffic.
  - ◆ Ellen Faurot-Daniels and Tracy Egoscue discussed the CCC’s comments on LNG at the Long Beach facility regarding the Sound Energy Solution document.
  - ◆ Ellen Faurot-Daniels reported that they have had two planning drill sessions with Safe Seas and NOAA to become familiarized with the OSPR procedures.

❖ **State Lands Commission:**

**Kevin Mercer**

- Report provided.
  - ◆ LNG monthly meeting- Kevin Mercer announced that Gary Gregory is attending the LNG working group meeting to discuss the requirements that the Governor may demand from LNG terminal developers. SLC engineers are meeting weekly to discuss the LNG developer's EIR.
  - ◆ On July 7, 2006 a Long Beach field Inspector headed off a potentially explosive vessel situation when he found that the inert gas (IG) system on the M/V PROBO ELK was not operating correctly. The Coast Guard eventually ordered the vessel out of port until repairs could be made. USCG was called out to make final determination. SLC is doing a lessons learned most of which is human factor in this incident. Matt Rezvani was very concerned about the seriousness of this offense and wanted to know if SLC issued a broadcast. Matt also inquired on whether the USCG could issue a broadcast lesson learned. Han Kim (USCG representative) assured Matt that an international broadcast was sent out and explained that this cannot be done on a regular basis because of economics.
  - ◆ The 2005 Oil Transfer and Transportation Emission and Risk Reduction (OTTER) Act report was approved by the State Lands Commission and is posted on our website.
  - ◆ A reminder that Prevention First 2006 will be held in Long Beach September 12 and 13, 2006.

❖ **SF Bay Conservation and Development Commission:**

**Linda Scourtis**

- SF Harbor Safety Committee (HSC):
  - ◆ Ferry Operations Workgroup – The Ferry Operations work group reviewed ferry traffic routes proposed by the Vessel traffic Service, and continues its outreach to ferry operators and captains. The work group will continue to discuss how various risk factors, such as vessel speed, may affect the proposed routing system.
  - ◆ PORTS Workgroup – The PORTS work group reviewed the status of the existing system in the bay and determined priorities for restarting individual sensors, as well as the need for new sensors. At this time, SFMX is focusing on activating existing sensors.
  - ◆ Tug Escorts – The chair of the work group and the HSC chair commented on the most recent version SB 403, the Chemical Tanker Bill, pointing out the continued incorrect use of information on the number of chemical tankers calling the Bay as well as the number of incidents.
  - ◆ Prevention through People --The PTP work group continues to work with the kayaking community to increase safety in paddle- sporting on the Bay, releasing and beginning to distribute a kayak "bumper sticker" this spring. A joint HSC/USCG press release was recently prepared that discusses maritime safety issues affecting recreational boaters, including those who may use the proposed Bay Area Water Trail. During the most recent meeting of the work group, its attention turned to designing a hand-sized safety placard for paddle boaters, with the intent of distributing it through kayak rental and sales companies, possibly even large-scale vendors as REI, as a means of educating paddle boaters about safety and the Rules of the Road.

**IV. LEGISLATIVE UPDATE**

**WILLIAM (BUD) LELAND, OSPR**

- ❖ Bud Leland announced that four pieces of Legislation are pending.
- ❖ The following four bills are:
  - ❖ SB 1070 – Water quality – to establish Water Monitor Council (OSPR labs are under contract to the SWRCB).
  - ❖ SB 403 – To establish Chemical Tanker Task Force. Expecting Homeland Security funding on this bill.
  - ❖ AB 2485 -- Sea Otter and non-source pollution – this bill is to increase the penalties for killing sea otters.
  - ❖ SB 497 Ballast water – establish standards for discharges.
- ❖ Steve Ricks requested an update on the Finance letter for OSPR positions. Bud Leland gave an update: the BCP has been submitted and currently active and will possibly be in the Governor's Budget report this coming January.

**V. REGULATIONS UPDATE**

**JOY LAVIN-JONES, OSPR**

- ❖ Bollard Pull regulation testing site comments will be available in September. Amendments on Shoreline Protection packages will go to OAL on Tuesday, August 1, 2006. The hearings will be held at the end of September and announcements will be mailed after OAL approval. Shoreline Protection Regulations are tentatively scheduled for completion by the end of the year.
- ❖ Joy Lavin-Jones briefly discussed the Shoreline Protection regulations table and the changes; and how this document will help standardized shoreline protection response.

- ❖ Ellen Faurot-Daniels inquired about the “offshore lightering operations off the coast of California” was new language. Joy Lavin-Jones agreed to clarify this item and report back by next meeting.
- ❖ Steve Ricks announced that an unannounced drill was conducted in San Diego by Chris Klumpp-OSPR staff.

## **VI. INLAND SPILL (CONCEPT PAPER)**

**LISA CURTIS/WILLIAM LELAND, OSPR**

- ❖ Lisa Curtis opened this item up for discussion. Lisa Curtis stated that the Inland Spill programs are currently being paid out of the 207 fund.
- ❖ Sejal Choski inquired about the penalty assessments on Page 12 of the Concept Paper and whether the fees are suppose to go into Preservation Fund. Sejal Choski asked for a followup on this issue. It was discussed that it would take an enormous amount of staff to follow on this issue.
- ❖ Tracy Egoscue suggested contacting LA Regional Control Board to get help on developing a plan on how we can receive proposition monies to use for Fund 207. Steve Sawyer will followup with Tracy Egoscue to get the proposition monies.
- ❖ Linda Sheenan’s alternate (Angela Heren) inquired as whether OSPR will introducing a bill on inland pollution/spills. Lisa Curtis responded that currently OSPR has no plans to introduce a bill.

## **VII. OSPR DATABASE PRESENTATION**

**CARLA SIMMONS AND SPENCER UNG, OSPR**

- ❖ Spencer Ung and Carla Simmons from OSPR IT presented to the TAC a demonstration of the Incident Tracking Database System, and the OSPR Spill Prevention Database System and gave an overview of the OSPR database systems and development projects.
- ❖ The Incident Tracking Database has been created to address inquiries and statistical needs throughout OSPR and to fulfill procedural recommendations identified in the 2004 Department of Finance Audit. The Incident Tracking database will contain pollution response and follow-up information necessary for statistical evaluation and justification for program planning, drills and exercise training and development, legislative analysis, and budget preparation.
- ❖ The Incident Tracking Database will contain follow-up information for only those pollution incidents which require either a telephone or physical response. The data originates with the OES reports and is translated from Lotus Notes into SQL Server tables. The database is not designed to collect real-time incident response and investigative information; rather, the follow-up pollution incident information
- ❖ The OSPR Spill Prevention Database System is being created to track Vessel and Facility current and historical data specific to each entity and will be linked with the Incident Tracking Database. It will contain information about Contingency Plans, Certification of Financial Responsibility, and Drill and Exercise data for each specific entity. It will also be used for Vessel monitoring for compliancy and as a decision making tool for vessel boarding’s.
- ❖ After these systems have completed the development, testing and implementation cycles the next project will be to Web enable the systems.

## **VIII. FUND 320/321 STATUS REPORT**

**MICHELE OWENS, OSPR**

- ❖ Michele explained the difference between the funds. The 320 fund is the Administrative portion of the fund and the 321 fund is oil response in marine waters. \$54,875,000 is the maximum available balance for the 321 fund and anything over and beyond that will be transferred back to the 320 fund.
- ❖ 321 fund is in the positive and above the max.
- ❖ Lisa Curtis announced that Sue Damron, OSPR’s Administrative Officer, transferred to Department of Corrections and OSPR and the department are actively recruiting to fill the position.
- ❖ The PFA process is going well and currently, has no problems at this time.

## **IX. UPDATE ON OSPR LNG AUTHORITY**

**LISA CURTIS, OSPR**

- ❖ Lisa Curtis gave an update on LNG, it was stated that in general OSPR’s position is LNG is not oil for the purpose of Lempert-Keene Seastrand Act and basically the reasoning is that LNG will become gas which means there is nothing to clean up. According SLC position for the purpose of Lempert-Keene Seastrand Act, LNG is a liquid hydrocarbon.
- ❖ We could possibly need a legal opinion from the AG’s office because of the two interpretations of the same statue from two different agencies of “what is oil?”
- ❖ We have OSPR staff on the LNG workgroup and some of tasks are emergency planning activities, update by developers, critical energy infrastructure information update, legislation update, federal activities on siting jurisdiction impacts, and imports of natural gas. Our OSPR and DFG staffs in the workgroup have reviewed and commented on the EIR/EIS documents for projects that have submitted on project applications and to date there are only two; BHP Billiton for the Cabrillo Deep Water port and the Sound Energy Solutions at the LNG facility located in the Port of Long Beach.

**X. UPDATE ON PORTS PROGRAM**

**WILLIAM LELAND, OSPR**

- ❖ Bud Leland gave a financial overview of the PORTS system.
- ❖ OSPR continues to report the physical oceanographic real time system in San Francisco Bay which is based on its value as a navigational safety control and spill prevention effort.
- ❖ Year 05/06 – OSPR's contribution was \$126,000 and Boating and Waterways contribution was \$30,000 for a total state contribution of \$156,000 for the year. Year 06/07 OSPR's contribution is at \$111,000 which is still under contract and Boating and Waterways came in at another \$30,000, which is currently maintaining the system.
- ❖ The system is in a maintenance mode now, which needs improvement. Currently, a subcommittee through the Harbor Safety Committee has developed a program and plans to upgrade the system. A BCP has been submitted. More details to follow.

**XI. MRSC DISPERSANTS PROGRAM PRESENTATION**

**STEPHEN RICKS (CHAIRPERSON) TAC**

Presentation moved to next meeting.

**XII. OLD/NEW BUSINESS**

**STEPHEN RICKS (CHAIRPERSON)/TAC**

- ❖ Agenda Items for November 9, 2006 Meeting:
  - A follow-up on the "Water" proposition monies.
  - An update at the next meeting on the Lampert-Keene Seastrand Act report from the different agencies.
  - Public Comments will become a standing agenda item
  - Add accomplishments to the TAC annual reports i.e. OSPR Database
  - Continue LNG updates
  - Briefing on ethanol and bio-fuels
  - MSRC dispersants and Hurricanes Katrina and Rita response (presentations by Steve Ricks)
  - Update/Status on unannounced drills program
  - Update on Inland Spill
  - The Massachusetts court ruling against the State's Oil Spill Program (Briefing)
- ❖ Dates and location of 2006 meetings:
  - November 9, 2006 – Sacramento, CA

**ADJOURN**